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NOTICE OF ALLOWANCE AND FEE(S) DUE

67338

7590

03/22/2010

BUCKLEY, MASCHOFF & TALWALKAR, LLC
GENERAL ELECTRIC COMPANY
50 LOCUST AVENUE
NEW CANAAN, CT 06840

EXAMINER

RANKINS, WILLIAM E

ART UNIT

PAPER NUMBER

3684

DATE MAILED: 03/22/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,798	09/05/2003	Peter Jones	G06,015	7103
TITLE OF INVENTION: PAYMENT CARD PROCESSING SYSTEM AND METHODS				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/22/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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67338 7590 03/22/2010

BUCKLEY, MASCHOFF & TALWALKAR, LLC
GENERAL ELECTRIC COMPANY
50 LOCUST AVENUE
NEW CANAAN, CT 06840

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/656,798 09/05/2003

Peter Jones

G06.015

7103

TITLE OF INVENTION: PAYMENT CARD PROCESSING SYSTEM AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/22/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
RANKINS, WILLIAM E	3684	705-041000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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BUCKLEY, MASCHOFF & TALWALKAR, LLC GENERAL ELECTRIC COMPANY 50 LOCUST AVENUE NEW CANAAN, CT 06840			RANKINS, WILLIAM E.	
			ART UNIT	PAPER NUMBER
			3684	

DATE MAILED: 03/22/2010

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 819 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 819 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/656,798

Examiner

WILLIAM E. RANKINS

Applicant(s)

JONES ET AL.

Art Unit

3684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/11/2010.
2. ☒ The allowed claim(s) is/are 1-6, 10-17 and 35-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691

DETAILED ACTION

Status of Claims

Claims 1-18 and 32-39 are pending in this application. Claims 1, 13, 18, 32 and 35-39 have been amended.

Response to Arguments

1. 03/12/2010 Applicant's arguments, see pgs. 13-18, filed 01/11/2010 with respect to claims 1-18 and 32-39 have been fully considered and are persuasive. The 103(a) rejection of 12/11/2009 has been withdrawn.

Specification

1. The abstract of the disclosure is objected to because it does not adequately describe the novel features of the invention. Correction is required. See MPEP § 608.01(b).

Allowable Subject Matter

1. Claims 1-6, 10-18 and 35-39 are allowed.

2. The following is an examiner's statement of reasons for allowance: The closest prior art of record is Lilly (2002/0156723), Tye (Retail cards seek wallet share) and Fargo (The fight for retail credit).

Lilly discloses a system and method for upgrading existing credit cards with additional lines of credit. Tye discloses the upgrading of private label cards to dual or co-branded cards and the outsourcing of in-house processing of private label cards. Fargo discloses the conversion of private label cards to co-branded cards. The above references fail to disclose, either whole or in part, the features of independent claims 1 and 35-37 where a trailing activity is initiated on a closed private label account after upgrading to a dual card account, where the trailing activity identifies monetary and non-monetary activity and updates a cross reference table to associate the trailing activity with the dual card account.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Randolph P. Calhoun on 03/12/2010.

The application has been amended as follows:

1. A method, comprising:

selecting a private label account maintained on a first processing platform for upgrade to a dual card account, said private label account associated with an account holder and having associated monetary and non-monetary data;

determining that the account holder agrees to terms associated with the dual card account;

creating said dual card account **with** a dual account identifier and a zero balance on a second processing platform that is separate and distinct from said first processing platform in response to the determining that the account holder agrees to the terms;

extracting the associated monetary and non-monetary data from a private label database associated with said private label account and said first processing platform;

transferring said non-monetary data associated with said private label account from said first processing platform to said second processing platform for association with said dual card account;

causing a dual card associated with said dual card account to be transmitted to said account holder, said dual card and said dual card account being inactive until activated;

transferring said monetary data associated with said private label account from said first processing platform to said second processing platform for association with said dual card account in response to an activation of said dual card and said dual card account;

transferring said monetary data from said first processing platform to said second processing platform;

blocking said private label account from further use; and

initiating a trailing activity process to identify monetary and non-monetary activity associated with said private label account, wherein said initiating of said trailing activity process includes updating a cross reference table associating said private label account with said dual card account to include the monetary and non-monetary activity identified by trailing activity process.

35. A payment card processing apparatus comprising:

- a processor; and
- a storage device in communication with said processor and storing instructions adapted to be executed by said processor to:
 - select a private label account maintained on a first processing platform for upgrade to a dual card accounts, aid private label account associated with an account holder and having associated monetary and non-monetary data;
 - determine that the account holder agrees to terms associated with the dual card account;
 - create said dual card account with a zero balance on a second processing platform in response to the determining that the account holder agrees to the terms;
 - extract the associated monetary and non-monetary data from a private label database associated with said private label account and said first processing platform;
 - transfer said non-monetary data associated with said private label account from said first processing platform to said second processing platform for association with said dual card account;
 - cause a dual card associated with said dual card account to be transmitted to said account holder, said dual card and said dual card account being inactive until activated; and
 - transfer said monetary data associated with said private label account

from said first processing platform to said second processing platform for association with said dual card account in response to an activation of said dual card and said dual card account;

transferring said monetary data from said first processing platform to said second processing platform;

blocking said private label account from further use; and

initiating a trailing activity process to identify monetary and non-monetary activity associated with said private label account, wherein said initiating of said trailing activity process includes updating a cross reference table associating said private label account with said dual card account to include the monetary and non-monetary activity identified by trailing activity process.

36. A payment card processing system, comprising:

means for selecting a private label account maintained on a first processing platform for upgrade to a dual card account, said private label account associated with an account holder and having associated monetary and non-monetary data;

means for determining that the account holder agrees to terms associated with the dual card account:

means for creating said dual card account with a dual account identifier and a zero balance on a second processing platform that is separate and distinct from said first processing platform in response to the determining that the account holder agrees to the terms;

means for extracting the associated monetary and non-monetary data from a private label database associated with said private label account;

means for transferring said non-monetary data associated with said private label account from said first processing platform to said second processing platform for association with said dual card account;

means for causing a dual card associated with said dual card account to be transmitted to said account holder, said dual card and said dual card account being inactive until activated; and

means for transferring said monetary data associated with said private label account from the cross-reference database table from said first processing platform to said second processing platform for association with said dual card account in response to an activation of said dual card and said dual card account;

means for transferring said monetary data from said first processing platform to said second processing platform;

means for blocking said private label account from further use; and

means for initiating a trailing activity process to identify monetary and non-monetary activity associated with said private label account, wherein said initiating of said trailing activity process includes updating a cross reference table associating said private label account with said dual card account to include the monetary and non-monetary activity identified by trailing activity process.

37. A non-transitory medium storing instructions adapted to be executed by a processor to perform a payment card processing method comprising:

instructions for selecting a private label account maintained on a first processing platform for upgrade to a dual card account, said private label account associated with an account holder and having associated monetary and non-monetary data;

instructions for determining that the account holder agrees to terms associated with the dual card account;

instructions for creating said dual card account with a dual account identifier and a zero balance on a second processing platform in response to the determining that the account holder agrees to the terms;

instructions for extracting the associated monetary and non-monetary data from a private label database associated with said private label account;

instructions for transferring said non-monetary data associated with said private label account from said first processing platform to said second processing platform for association with said dual card account;

instructions for causing a dual card associated with said dual card account to be transmitted to said account holder, said dual card and said dual card account being inactive until activated; and

instructions for transferring said monetary data associated with said private label account from said first processing platform to said second processing platform for association with said dual card account;

instructions for transferring said monetary data from said first processing platform

to said second processing platform;

instructions for blocking said private label account from further use: and

instructions for initiating a trailing activity process to identify monetary and non-monetary activity associated with said private label account, wherein said initiating of said trailing activity process includes updating a cross reference table associating said private label account with said dual card account to include the monetary and non-monetary activity identified by trailing activity process.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM E. RANKINS whose telephone number is (571)270-3465. The examiner can normally be reached on M-F 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William E Rankins/
Examiner, Art Unit 3684
03/12/2010

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691